

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRUCE ZAK,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

4:15-cv-13437

HON. TERRENCE G. BERG

**ORDER GRANTING MOTION
TO REOPEN DISCOVERY,
MOTION TO STAY**

This is a patent-infringement case. Plaintiff Bruce Zak alleges that Defendant Facebook, Inc. has infringed U.S. Patent No. 9,141,720, named “System and Method for Managing Content on a Network Interface.” The parties are now before the Court on Facebook’s motion to dismiss this case based on alleged litigation misconduct by Zak or, in the alternative, to reopen discovery. ECF No. 80. Facebook has also filed a motion to stay this case pending resolution of the motion to dismiss or to reopen discovery. ECF No. 99. For the reasons stated on the record during a March 2, 2020 telephone conference with the parties, Facebook’s motion to dismiss or reopen discovery is granted in the alternative. The Court will allow the parties three months, or until **June 15, 2020**, to complete additional fact discovery on evidence of prior publications, offers for sale, public disclosures or uses of Zak’s software, and any other matters discussed during the telephone conference. To facilitate the

successful completion of such discovery, the Court will grant Defendant's motion to stay this matter for the three-month period during which discovery is taking place.

Accordingly, Facebook's motion to dismiss based on litigation misconduct or, in the alternative, to reopen discovery (ECF No. 80) is **GRANTED IN THE ALTERNATIVE**. Facebook's motion to stay this matter pending completion of supplemental discovery (ECF No. 99) is also **GRANTED**. The Court will set new deadlines for completion of expert reports and expert discovery during the telephonic status conference currently scheduled for June 15, 2020 at 10:00 a.m. Eastern Time.

SO ORDERED.

Dated: March 10, 2020

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE